

**CRIMINAL DOCKET  
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<b>THE UNITED STATES</b>  <b>vs.</b>  <b>Peter Joseph McMahon, Jr.</b>	<i>For U. S.:</i> <del>Pat Malloy</del> <del>Midstates Bldg., Tulsa</del>  <del>Irvine Ungerman</del> <del>Wright Bldg., Tulsa</del> James E. Ritchie  <i>For Defendant:</i> Pat Malloy Midstates Bldg., Tulsa  Irvine Ungerman Wright Bldg., Tulsa

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 9-30-68	Clerk				
J.S. 3 mailed 11-30-68	Marshal				
Violation Marihuana	Docket fee				
Title 26					
Sec. 4742(a)&(1)					

DATE	PROCEEDINGS
9-10-68	Indictment filed in open court. h
9-10-68	Record vote of Grand Jury filed in open court. h
9-10-68	Bond of the defendant in the amount of \$5,000 filed. Surety-Peter J. McMahon. h
9-10-68	Order specifying methods and conditions of release, filed. w
9-19-68	Defendant Peter Joseph McMahon, Jr., present and represented. Deft. advised as to charges & states he has heretofore received copy of indictment. Deft. arraigned, waives reading of indictment & enters pleas of NOT GUILTY as to each of Cts. 1,2,3,4,&5. Deft. requests that jury trial not be set for week of 10-14-68. Ordered that case be set for jury trial during week of 10-28-68. (LB-J)(Larry Marks-CSR)w
10-28-68	Case called for jury trial, defendant present and represented, moves for continuance and it is overruled. Defendant waives jury trial, waiver signed, approved and filed in open Court. Case passed until Wednesday, October 30th, 1968 at 9:30 A. M. for then-jury trial. (Luther Bohanon - Judge) (FS-CSR)h
10-29-68	Return on service of subpoena filed. Executed by serving Benton Carl Perry at Okla. City, Okla. on 10-9-68 h

(OVER)

DATE	PROCEEDINGS
10-30-68	Case called for non-jury trial, defendant present and represented, defendant withdraws his pleas of NOT GUILTY as to Counts 1, 2, 3, 4 and 5 heretofore entered and enters pleas of GUILTY as to each of Counts 1, 2, 3, 4 and 5. Defendant adjudged GUILTY as charged in Counts 1, 2, 3, 4 and 5 and sentencing is passed pending probation officer's report. (Luther Bohanon - Judge)(FS-CSR) b
11-6-68	Case set for sentencing on Thursday 11-21-68 at 9:30 a.m. (LB-J)m
11-21-68	Defendant present in person and represented. Judgment and Sentence - Peter Joseph McMahon, Jr. (Age 20) Defendant committed to custody of Atty. General for treatment and supervision pursuant to Title 18 USCA, Section 5010(b) until discharged by the Federal Youth Correction Division of the Board of Parole, as to Cts. 1,2,3,4&5. (LB-J)(FS-CSR)m
11-21-68	Judgment and Commitment, filed and entered. (LB-J)m
11-21-68	Two c/c of J&O delivered to U. S. Marshal. m
12-3-68	CC of J&C returned and filed: defendant delivered to U. S. Reformatory, El Reno, Oklahoma, on 11-21-1968. g

UNITED STATES COMMISSIONER

Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Jack C. Silver

(Name of commissioner)

Tulsa, Oklahoma

(Address)

COMMISSIONER'S  
DOCKET NO. 1 CASE NO. 3  
THE UNITED STATES  
vs.

Peter McMahon Jr.

Complaint filed on Aug. 8, 1968, by Kelly D. McCullough  
Official title Agent, BNDD, charging violation of  
United States Code, Title 26, Section 4742(a) on Aug. 8,  
1968, at Tulsa, Oklahoma in the  
division of the Northern district of Oklahoma  
as follows: Unlawfully transfer approximately one and  
one-half pounds of marihuana to McCullough for  
100.00 not in pursuance to a written order of the  
said Agent McCullough on a form to be issued in  
blank by the Secretary or his delegate.

(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date Aug. 8, 1968 Warrant/Summons for Peter McMahon Jr.

to (name and title of officer) To Any U. S. Marshal or Any Authorized Officer: (Name of defendant)

Substance of return

Date Warrant/Summons for

to (name and title of officer)

Substance of return

FILED

17003

AUG 23 1968

(Name of defendant)

M. M. EWING

Clerk, U. S. District Court

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date Arrested by

on warrant of (Name of issuing officer)

without warrant.

Appearances

for United States

(Name)

(Address)

for accused

(Name)

(Address)

Proceedings taken

(Here insert with dates, when appropriate, a serialim account of essential steps taken at hearing such as "complaint prepared,"

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

if that is the fact; any adjournments taken, etc.

Handled by Commissioner Benjamin B. Ballenger, C

Outcome

Bail fixed, 19 Amount, \$ Bonded, 19, by cash  
deposited by (name) Address  
transmitted to clerk of district court, 19 [or] by surety  
(name) Address  
(name) Address, who  
justified by affidavit dated, 19, [or] committed to  
on, 19

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness)\_\_\_\_\_  
at request of (name of party)\_\_\_\_\_  
Substance of return\_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date\_\_\_\_\_Appearances for

United States

(Name)

(Address)

Accused

(Name)

(Address)

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing\_\_\_\_\_names certified to United States Marshal for payment\_\_\_\_\_, 19\_\_\_\_  
Proceedings taken\_\_\_\_\_

Outcome\_\_\_\_\_

Bail fixed\_\_\_\_\_, 19\_\_\_\_ Amount, \$\_\_\_\_\_ Bonded\_\_\_\_\_, 19\_\_\_\_, by cash  
deposited by (name)\_\_\_\_\_ Address\_\_\_\_\_

transmitted to clerk of district court\_\_\_\_\_, 19\_\_\_\_

[or] by surety (names)\_\_\_\_\_ Address\_\_\_\_\_

and\_\_\_\_\_ Address\_\_\_\_\_

who justified by affidavit\_\_\_\_\_, 19\_\_\_\_ Committed to\_\_\_\_\_

on\_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this 22 day of August, 1961

Transmitted to Clerk of United States District Court for the  
district of Oklahoma, Aug. 22, 1961



United States Commissioner.

68-CR-113

UNITED STATES COMMISSIONER  
Northern DISTRICT OF Oklahoma

RECORD OF PROCEEDINGS—MISCELLANEOUS

BEFORE Jack C. Silver, Tulsa, Oklahoma  
(Name of Commissioner) (Address)

This form should be used to record proceedings for which Forms AO 100 and AO 101 are not adapted, such as applications for search warrants, extradition proceedings, depositions in civil cases, proceedings for the release of poor convicts, references in civil or admiralty cases, attachments and subsequent hearings in internal revenue matters, proceedings to settle or certify nonpayment of seamen's wages, civil rights proceedings, detentions of witnesses on removal proceedings in connection with criminal proceedings, if not included in Form AO 100, etc. A separate page should be used for each proceeding, showing the title of the case, its nature, and the date and nature of each step taken.

Commissioner's

Docket No. 1, Case No. 7

United States of America

vs.

Apartment "A" 6304 So. Madison Pl.  
Tulsa, Tulsa County, Okla., Being  
the apartment located on the lower  
floor, at the east end of building

Affidavit for Search

Warrant

(Nature of proceeding)

**FILED**  
17,003  
AUG 23 1968

DATE  
1968

M. M. EWING  
Clerk, U. S. District Court

Aug. 8, 68 On August 8th, 1968, Kelley D. McCullough, Agent Bureau of Narcotics and Dangerous Drugs, Executed A SEARCH WARRANT for premises known as: Apart. "A" 6304 South Madison Pl. Tulsa, Okla. On the lower floor at the east end of the building, of a Two-story apart. building. Trimmed in brow and wood, and constructed out of brick, more specifically being the 2nd building south of East 63rd Street, on west side of Madison Place, Tulsa, Okla.

WARRANT Executed, 8-9-68 at 9:00 A. M. left a copy of the warrant with Pete J. McMahan, Jr. The following is as inventory of property taken pursuant to the warrant: (See Attach to Back

RETURN

I received the attached search warrant August 8, 19 68 and have executed it as follows:

On August 9, 19 68 at 9:00 o'clock A M, I searched { the person  
the premises } described in the warrant and

I left a copy of the warrant with Pete J. McMahon Jr.  
name of person searched or owner or "at the place of search"  
together with a receipt for the items seized.

The following is an inventory of property taken pursuant to the warrant:

- 3 packages Zig Zag cigarette papers
- 1 plastic bag containing about  $\frac{1}{2}$  oz. suspected marijuana
- 4 selective Service Draft cards
- 1 beer mug containing 7 foil wrapped tablets
- 1 box plastic bags
- 1 plastic box containing about  $\frac{1}{2}$  pound suspected marijuana
- 1 hand drawn map
- 2 Xerox copies of article on marijuana
- 1 envelope with writing on back
- 22 Recording tapes
- 1 glass bottle containing about  $\frac{1}{4}$  oz. marijuana
- 1 Telephone toll call list
- 1 handwritten note referenced Tom Ramey

This inventory was made in the presence of

and

Jim Green - Agent BMD D

I swear that this Inventory is a true and detailed account of all the property taken by me on the warrant.

John C. Blanton

Subscribed and sworn to and returned before me this

9th day of August, 1968.

Frank C. Silver

U. S. Commissioner.

DATED August 22, 1968

Frank C. Silver  
United States Commissioner

UNITED STATES COMMISSIONER

DISTRICT OF

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE **BENJAMIN B. BALLENGER**  
(Name of commissioner)

**411 U. S. Court House, Tulsa, Okla.**  
(Address)

COMMISSIONER'S  
DOCKET NO. **1-** CASE NO. **411**  
THE UNITED STATES  
vs.

**Peter Joseph McMahon, Jr.**  
**(20)**

Complaint filed on **August 8, 1968**, by **Kelly D. McCullough**  
Official title **Agent, BNDD**, charging violation of  
United States Code, Title **26**, Section **4742(a)** on **July 30,**  
**1968**, at **Tulsa, Oklahoma** in the  
division of the **Northern** district of **Oklahoma**  
as follows: **did knowingly, willfully and unlawfully**  
**transfer approximately one and one-half pounds of**  
**marihuana to Agent Kelly D. McCullough of the BNDD**  
**for \$100.00 not in pursuance to a written order of**  
**the said Agent McCullough on a form to be issued in**  
**blank by the Secretary or his delegate.**  
(Here insert brief summary of facts constituting offense charged)

WARRANTS OR SUMMONS ISSUED:

Date **8-8-68** Warrant/Summons for **Peter Joseph McMahon, Jr.**  
to (name and title of officer) **To U. S. Marshal or Any Authorized U. S. Officer** (Name of defendant)  
Substance of return **Arrested on 8-9-68 by John C. Blandon, Agent BNDD**

Date \_\_\_\_\_ Warrant/Summons for \_\_\_\_\_  
to (name and title of officer) \_\_\_\_\_  
Substance of return \_\_\_\_\_

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

**Ballenger (Hearing Only)**

Date **August 9, 1968** Arrested by **John C. Blanton,**  
**Agent BNDD** { on warrant of **Jack C. Silver,**  
**U. S. Commissioner** (Hearing officer)  
without warrant.

Appearances { for United States \_\_\_\_\_ (Name) \_\_\_\_\_ (Address)  
for accused **Pat Malloy, Midstates Building, Tulsa, Okla. 74103**  
(Name) \_\_\_\_\_ (Address)

Proceedings taken **Defendant presented, represented by Pat Malloy, advised of the**  
(Here insert with dates, when appropriate, a serial account of essential steps taken at hearing such as "complaint prepared,"

**charge against him and to a preliminary hearing. Preliminary hearing requested**

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"

**and set for 8-16-68 at 2:00 P. M. Bond fixed at \$5,000.00 and defendant**

if that is the fact; any adjournments taken, etc.

**posted bond and released.**

**8-12-68 Preliminary hearing re-set for August 30, 1968 at 10:00 A. M.**

Outcome

Bail fixed **8-9-68**, 19\_\_\_\_ Amount, \$ **5,000.00** Bonded **8-9-68**, 19\_\_\_\_, by cash  
deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_ [or] by surety  
(name) **Peter Joseph McMahon, Jr.** Address **6304 So. Madison Pl. Tulsa, Okla.**  
(name) **Peter J. McMahon** Address **1841 E. 27th St., Tulsa, Ok** who  
justified by affidavit dated \_\_\_\_\_, 19\_\_\_\_, [or] committed to  
on \_\_\_\_\_, 19\_\_\_\_

SUBPOENAS FOR WITNESSES ISSUED:

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

\_\_\_\_\_, 19\_\_\_\_, for (name of witness) \_\_\_\_\_  
at request of (name of party) \_\_\_\_\_  
Substance of return \_\_\_\_\_

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date \_\_\_\_\_ Appearances for \_\_\_\_\_

United States

(Name)

(Address)

Accused

(Name)

(Address)

WITNESSES FOR UNITED STATES:

(List names and addresses)

WITNESSES FOR ACCUSED:

(List names and addresses)

Witness payroll containing \_\_\_\_\_ names certified to United States Marshal for payment \_\_\_\_\_, 19\_\_\_\_  
Proceedings taken \_\_\_\_\_

**8-30-68 Defendant Peter Joseph McMahon, Jr., present in person and represented by Irvine E. Ungerman, government represented by James E. Ritchie. Defendant waived preliminary hearing, is held for Court Action and released on present bond.**

Outcome **Held for Court action, released on present bond.**

Bail fixed \_\_\_\_\_, 19\_\_\_\_ Amount, \$ \_\_\_\_\_ Bonded \_\_\_\_\_, 19\_\_\_\_, by cash deposited by (name) \_\_\_\_\_ Address \_\_\_\_\_  
transmitted to clerk of district court \_\_\_\_\_, 19\_\_\_\_  
[or] by surety (names) \_\_\_\_\_ Address \_\_\_\_\_  
and \_\_\_\_\_ Address \_\_\_\_\_  
who justified by affidavit \_\_\_\_\_, 19\_\_\_\_ Committed to \_\_\_\_\_  
on \_\_\_\_\_, 19\_\_\_\_

Certified to be a correct transcript.

Made this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Transmitted to Clerk of United States District Court for the **Northern**  
district of **Oklahoma**, **August 30th**, 19**68**.

**Benjamin B. Ballenger**

United States Commissioner.